Ministry of
Attorney General

Law Reform, Justice and Legal Services to Government

and

Minister Responsible for Multiculturalism

2006/07
Annual Service Plan Report

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Message from the Minister and Accountability Statement

I am pleased to introduce the *Ministry of Attorney General 2006/07 Annual Service Plan Report*. This report provides an update on the ministry's activities and performance during the fiscal year that ended on March 31, 2007.

The Ministry of Attorney General is responsible in government for the administration of justice, leadership in law reform and for providing legal services that ensure lawful public administration. As the Minister Responsible for Multiculturalism, the Attorney General also leads government in the area of multiculturalism and immigration by funding programs and services to attract, retain, settle and integrate newcomers and by funding multicultural and anti-racism initiatives.

This report reflects the Ministry's ongoing efforts to achieve our vision of a province governed by the rule of law with an effective justice system serving all British Columbians; and a province where immigrants can realize their full potential, racism is eliminated, and cultural diversity is valued and celebrated. As we look back on the performance over the past year, I am proud of the many significant accomplishments made by the Ministry. We have increased public access to justice through technological and procedural innovations, passed ground-breaking legislation, demonstrated strong national and international leadership in criminal justice reform and worked effectively with the federal government to significantly increase funding for immigrant settlement services. These and our many other accomplishments are a testament to the dedication and professionalism of those working in the Ministry.

The 2006/07 Ministry of Attorney General Service Plan Report compares the actual results to the expected results identified in the Ministry 2006/07 – 2008/09 Service Plan. I am accountable for those results as reported.

Honourable Wally Oppal
Attorney General and Minister Responsible for Multiculturalism

June 20, 2007

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Highlights of the Year

Justice System

During the 2006/07 year the Ministry of Attorney General continued to make progress in fulfilling its goals of: being a leader in law reform and innovative justice processes, an effective criminal justice system, effective civil and family justice systems and effective legal services that enable government to administer public affairs in accordance with the law.

Ministry activities that **improved access to justice, and efficiency and integration of justice services** included the following highlights:

- E-court services were expanded, providing significantly increased convenience for the public and more efficient use of resources, including a reduced carbon footprint for the Ministry. This included:
  - — e-access to public court information was expanded through an increase in the number of computer access terminals at court registries; and
  - — the Ministry completed a successful pilot phase of e-filing and e-registry at seven locations, processing more than 5,500 electronic court documents.
- The Family Justice Services Centre pilot project moved forward, with the centre opening in Nanaimo on April 1, 2007. The centre provides a "single door" to family justice, with an assessment and referral service, dispute resolution services, limited legal advice and a self help resource room. This project is in response to recommendations in the BC Justice Review Task Force report, *A New Justice System for Families and Children*; and involved collaboration with the Ministries of Attorney General, Children and Family Development and Employment and Income Assistance.
- Increased access to Human Rights information by translating pamphlets into Punjabi and Chinese.
- Child protection mediation services were increased throughout the province. Referrals to the program have risen to close to 700, up from just over 500 in 2005/06.
- Courthouse facilities were upgraded in Fort St. James and Salmon Arm.
- Digital audio recording was implemented in court houses across the province to increase the efficiency of the production of court transcripts.
- The Lower Mainland sheriff communication system was modernized, thereby increasing responsiveness and helping to ensure the safety of all courthouse users.
- Groundbreaking agreements on electronic investigative information were entered into with all British Columbia police agencies.
- The British Columbia Hate Crime Team, which integrates Crown, police and the community, was recognized as the best model in Canada for fighting Internet hate.

Ministry activities in **law reform, innovative justice processes and legal services to government** included the following highlights:

- New *Apology Act* B.C. which permits a party to apologize without fear of incurring legal liability; B.C. is the first jurisdiction in Canada to pass such legislation.
- New *Public Inquiry Act* will replace the *Inquiry Act* with a modern statute that provides fully and clearly for the powers needed for commissions of inquiry to carry out their duties independently and efficiently, while also protecting the rights of individuals involved.
- New *Representative for Children and Youth Act* implements the recommendations made by The Honourable Ted Hughes in his report, *BC Child and Youth Review*. The Deputy Attorney General led the transition to establish the new Office of the Representative for Children and Youth.
- The Ministry achieved significant success at the Supreme Court of Canada, including the right of the province to pursue health care cost recovery against tobacco manufacturers.
- Extended Daylight Saving Time to coincide with the United States and other Canadian provinces.[1]
- Worked with the Ministry of Aboriginal Relations and Reconciliation to review and provide advice on changes to legislation and operational procedures to ensure that obligations to First Nations are met and the honour of the Crown is maintained.
- International Leadership in Criminal Justice including:
  - — an agreement to assist China to develop its prosecution processes in the criminal justice system; and
  - — projects related to major crime investigation in Central America and Mexico, and crime scene examination in Guatemala.
- Developed a protocol to better coordinate cross jurisdictional management of high risk offenders;
- Led the national effort for changes to the *Criminal Code of Canada* to help police gather evidence and prosecutors prepare cases on suspected drug impaired drivers.
- Participated in the implementation of the Justice Review Task Force recommendations to rewrite the Rules of Court governing civil procedures. These changes will help eliminate complexity and expedite resolution.

[1] Daylight Saving Time is observed in British Columbia beginning on the second Sunday in March and ending the first Sunday in November each year.

Multiculturalism and Immigration

During 2006/07, the Ministry continued to carry out strategies to achieve the Goal of effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives. Ministry activities in these areas included the following highlights:

- Successfully negotiated a $71.5 million increase in immigrant settlement funding to bring British Columbia funding on par with recent increases in Ontario, this funding is for 2006 through 2008.
- Negotiated $1.57 million in federal funding for multiculturalism and anti-racism activities that will contribute to a Welcoming Communities Initiative, helping to ensure new immigrants are supported in their adaptation and integration.
- Developed a promotional and marketing DVD, *B.C.: Canada's Pacific Gateway*, to showcase the advantages of choosing to live, work, study and invest in our vibrant, economically prosperous and culturally diverse province.
- Implemented new intermediate English language classes for adult immigrant students intending to enter the labour market. These classes are provided at no cost to the participant.

Purpose of Ministry

Justice System

The Attorney General is responsible in government for the administration of justice, leadership in law reform and for providing legal services that ensure lawful public administration.

The Justice Services Branch leads the Ministry's responsibilities in civil, family and administrative justice reform to promote public access to the justice system. The Branch works with others in the justice sector to develop innovative solutions to reduce the cost and complexity of dispute resolution. Justice Services also include civil and family law reform, the Family Maintenance Enforcement Program, and services allowing disputes to be settled out of court. In consultation with the Legal Services Society, the Branch manages the provincial funding of legal aid.

In British Columbia, Crown counsel in the Criminal Justice Branch are responsible for prosecution as part of the Attorney General's independent role as law officer for the Crown. Following police investigation, Crown counsel consider whether there is substantial likelihood of conviction based on the available evidence, and, if so, whether the public interest requires a prosecution. These decisions taken with fairness, impartiality and integrity, help deliver justice for victims, witnesses, defendants and the public.

The Court Services Branch administers the province's three levels of courts at the direction of the judges of the British Columbia Court of Appeal, the British Columbia Supreme Court and the Provincial Court of British Columbia. The Branch provides administrative services, including security and court order enforcement, to the independent judiciary, the public, lawyers, and the police and corrections authorities.

The Legal Services Branch is the government's lawyer, and its clients are the Attorney General, Cabinet, ministries and certain public agencies. The Branch provides advice to help ensure government acts lawfully and is, itself, represented by legal counsel when necessary.

Vision, Mission, Culture and Values

Vision

A province governed by the rule of law with an effective justice system serving all British Columbians.

The Rule of Law

"The rule of law is a fundamental principle in a free and democratic society. It guarantees that law is supreme and that the exercise of public power requires a source in some legal rule. It shields individuals from arbitrary action."

Mission

We are responsible in government for law reform, for the administration of justice, and for seeing that public affairs are administered in accordance with the law.

Culture and Values

We are dynamic and innovative leaders in justice and public administration with the following operating principles and values.

1. To be performance and service focused.
2. To honour members of the Ministry and support them in their learning and development.
3. To act with professional integrity, independent from interference.
4. To be forthright and strategic.
5. To be collaborative and inclusive within the justice system and with the public that we serve.
6. To adhere to the core values of the British Columbia Public Service, namely integrity, accountability, responsibility, respect and fostering innovation in providing services.

Multiculturalism and Immigration

As the Minister Responsible for Multiculturalism, the Attorney General leads government in the area of multiculturalism and immigration by funding programs and services to attract, retain, settle and integrate newcomers and by funding multicultural and anti-racism initiatives.

The Multiculturalism and Immigration Branch is responsible for the negotiation and implementation of the Agreement for Canada-British Columbia Cooperation on Immigration. The Branch funds basic adult English language instruction and other settlement service supports to new immigrants, and initiatives to increase understanding of multiculturalism and prevent racism. The Branch also supports the work of the Multicultural Advisory Council, which advises the minister on issues related to multiculturalism and anti-racism.

Vision, Mission, Culture and Values

Vision

Safe, sustainable and liveable communities where immigrants can realize their full potential, racism is eliminated and cultural diversity is valued and celebrated.

Mission

We are responsible in government to meet the settlement needs of immigrants and refugees, to promote multiculturalism and to eliminate racism.

Culture and Values

We are dynamic and innovative leaders in multiculturalism, immigration and public administration with the following operating principles and values.

1. To be performance and service focused.
2. To honour members of the Ministry and support them in their learning and development.
3. To act with professional integrity, independent from interference.
4. To be forthright and strategic.
5. To be collaborative and inclusive with our service partners and with the public that we serve.
6. To adhere to the core values of the British Columbia Public Service, namely integrity, accountability, responsibility, respect and fostering innovation in providing services.

Strategic Context

Justice System

External Factors

During 2006/07, the Ministry continued to operate in an environment of ongoing public demand for public safety and justice system reform.

The Ministry is only one of many participants in the justice sector. For example, the *Criminal Code of Canada* is federal legislation administered by the province. Criminal, civil and family justice system participants such as judges, the police and Crown counsel must act and make decisions independently and free from interference. Yet all participants must work together to ensure a fair system that serves the public interest and is open to public scrutiny. These varying influences make it difficult to predict the number of cases that require Ministry resources, including prosecution, legal assistance, and court scheduling.

Globalization and technological development also affected both the nature of crime and the context in which the Ministry operates.

The increasing volume and complexity of civil, family and criminal court cases continue to affect the Ministry.

- Civil litigation has become more complex and costly. An increasing number of civil cases involve novel issues of law and procedure, substantial amounts of evidence, the use of technology, greater use of expert witnesses, and the involvement of multiple parties.
- Government is also affected when it is a party in complex civil litigation.
- Criminal prosecutions, especially of organized crime cases, have also become increasingly complex. These cases continue to require the analysis of large volumes of documents and technical evidence, greater use of expert witnesses, and careful focusing of resources.

Multiculturalism

External Factors

British Columbia has continued to experience a growing need for skilled workers, primarily as a result of the province's sustained prosperity. Immigrants are increasingly playing a key role in meeting this need. Many other countries have also experienced this growing need for skilled workers, resulting in increased global competition for immigrants. Fortunately, British Columbia

has remained a favoured destination for immigrants and temporary residents, including international students. These factors have required the Ministry to focus attention on finding ways to effectively integrate new immigrants into British Columbia's workforce.

Increasingly, communities throughout the province have recognized the social and economic benefits of immigration and cultural diversity, and the value of strong partnerships with local governments, the federal government, communities, and agencies that serve immigrants. These partnerships have strengthened the ability of all partners to support multiculturalism, anti-racism, and immigrant settlement initiatives.

The province's linguistic and cultural diversity forms a strong foundation from which to build a model of inclusiveness for the world to experience during the 2010 Olympic and Paralympic Winter Games.

Report on Performance

Performance Plan Summary Table

Justice System Key Outcome Indicator For greater detail see page 15	2006/07 Target	2006/07 Actual
Percentage of British Columbians who have a great deal or quite a lot of confidence in the justice system	50.2% Maintain or Improve	46.5% Not Achieved
Goal 1: A Ministry that is a leader in law reform and innovative justice processes For greater detail see pages 17 to 18		
1.1 Ministry as a centre for promoting law reform		
1.2 Innovation in civil, criminal and administrative justice		
1.3 Ministry is innovative in providing legal services The Ministry has not established specific performance measures for this goal. The implementation of the strategies for this Goal will result in the improvement, modernization and reform of the law and justice processes. In addition to the public confidence measure that is the key outcome indicator for the justice system, the performance measures established in goals 2, 3 and 4 will be key indicators of the success of this goal.		

Goal 2: An effective criminal justice system For greater detail see pages 18 to 21	2006/07 Target	2006/07 Actual
2.1 Fair impartial and just criminal prosecutions and appeals		
2.2 Criminal prosecutions and appeals processed with appropriate speed		
2.3 Safe and secure criminal justice programs and services		
2.4 Reliable criminal justice services		
2.5 Public understanding of the criminal justice system		
Percentage of British Columbians 15 years and older who perceive that the criminal courts do a good job of:	Improve from baseline of:	
• Providing justice quickly	11%	13% Achieved
• Helping the victim	16%	13% Not Achieved
• Determining whether or not the accused is guilty	22%	28% Achieved
• Ensuring a fair trial for the accused	43%	52% Achieved

Goal 2: An effective criminal justice system For greater detail see pages 18 to 21	2006/07 Target	2006/07 Actual
Average time to disposition for:		
• Traffic cases	220 days	222 days Substantively Achieved
• Adult and youth criminal cases	189 days	181 days Achieved

Goal 3: Effective civil and family justice systems For greater detail see pages 21 to 23	2006/07 Target	2006/07 Actual
3.1 Accessible and efficient civil and family court processes		
3.2 Accessible civil and family justice services as alternative to court.		
3.3 Safe and secure environment for resolving civil and family disputes		
3.4 Public understanding of the civil and family justice systems		
Average rate of client satisfaction with child protection mediation on a 5 point scale where 5 is very satisfied	3	4.5 Exceeded
Average rate of client satisfaction with small claims mediation on a 5 point scale where 5 is very satisfied	>4	4.3 Achieved
Small claims settlement rate	>52%	58% Achieved
Average time to disposition for:		
• Small claims settlement conferences	170 days	179 days Substantively Achieved
• Small claims actions	316 days	338 days Substantively Achieved
• Child protection hearings	18 days	17 days Achieved
• Family hearing	120 days	135 days Not Achieved
Proportion of provincial population residing within one hour or travel time to court	98%	98% Achieved

Goal 4: Effective legal services enabling government to administer public affairs in accordance with the law For greater detail see page 24	2006/07 Target	2006/07 Actual
4.1 High-quality, cost effective legal services to government		
4.2 Legal risks and issues managed proactively and strategically		
Percentage of clients satisfied with:		
• Timeliness, quality and consistency of services	87%	N/A The survey will be completed in 2007/2008

Multicultural and Immigration

Goal: Effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives For greater detail see pages 25 to 26	2006/07 Target	2006/07 Actual
Improved settlement and socio-economic outcomes for immigrants		
Percentage of recent immigrants in language training who report greater ability to use English	76%	N/A The survey will be completed in 2007/2008
Number of communities that have participated in the Critical Incident Response Model program	26	26 ACHIEVED

Goals, Objectives, Strategies and Performance Results

Performance Plan: Justice System

Justice System Key Outcome Indicator

Public safety and an effective justice system are key priorities for government and necessary for social stability and economic prosperity. As part of the development of a more comprehensive performance measurement system the Ministry has determined that public confidence in the justice system is a key indicator of an effective justice system.

Performance Measure	2005/06 Baseline*	2006/07 Target	2006/07 Actual**
Percentage of British Columbians who have a great deal or quite a lot of confidence in the justice system	50.2%	Maintain or improve baseline	46.5% NOT ACHIEVED

Data Source:

* Baseline Data: Statistics Canada, General Social Survey on Social Engagement (GSS), Cycle 17, 2003. The national average for this indicator is 57.3 per cent. The provinces show a range from 46.2 per cent to 65.7 per cent.

** 2006/2007 Data Average of BC Omnibus Survey conducted by BC Statistics September 2006 - February 2007.

Discussion of Results

This measure is a key outcome indicator of an effective justice system and supports all four justice system goals. The baseline for this measure is taken from the Statistics Canada General Social Survey on Social Engagement (GSS) Cycle 17, 2003. This survey is reported every five years by Statistics Canada as part of a general social survey on the activities and perceptions of Canadians. In the interim the Ministry conducted a monthly survey with the same specific questions.

Comparisons should be made cautiously as the surveys differed in sample size, and margin of error, and were conducted three years apart. Therefore the results may not indicate a trend in public confidence. However the level of public confidence in the justice system is a high priority for the Ministry. As a result the 2007/08 Service Plan places a strong emphasis on the need for justice system transformation.

Goal 1: A Ministry that is a leader in law reform and innovative justice processes

The law has a profound practical effect on the legal rights, duties and liabilities of individuals and organizations in our society. Law and justice processes must keep pace with contemporary society. The Ministry has a lead role in the debate and development of law that is just, principled, easy to understand and serves the public interest. The Ministry also leads development of innovative justice processes that are current, fair, simple and cost-effective.

Objective 1.1: Ministry as a centre for promoting law reform

Law reform is a Ministry priority. By engaging in strategies that promote and support law reform, the Ministry assumes a central role in modernizing laws and justice procedures within the province. For example, the Ministry is a key participant in, and provides resources to support, the B.C. Justice Review Task Force. The Task Force is recommending reforms through the Street Crime Working Group, the Family Justice Reform Working Group, the Civil Justice Reform Working Group and the Mega Trials Working Group.

Objective 1.2: Innovation in civil, criminal and administrative justice procedures

The Ministry is committed to continuous improvement of civil, criminal and administrative justice processes. The Ministry continually works with justice participants to develop new and improved procedures inside and outside the courtroom to increase the effectiveness of the justice system.

Objective 1.3: Ministry is innovative in providing legal services

Innovative legal services to government, including the use of alternatives to litigation for resolving disputes, support the Ministry as a leader in reform. Government and the public benefit from increased efficiencies resulting from technological and administrative innovations in the delivery of legal services.

Strategies

The following strategies are used to achieve this goal:

Evaluation of the current justice system and research new knowledge on:

- how to make the justice system more responsive;
- how to provide better access to justice;
- how to improve court processes;
- how to reform current laws and legislation;
- how to apply technology to the justice system; and
- how to make the justice system more efficient;

and then using those evaluations and applying that knowledge to suggest new and improved laws, legal processes and justice services for the public.

Performance Measures and Targets

The Ministry has not established specific performance measures for this goal.

The implementation of the strategies of this Goal will result in the improvement, modernization and reform of the law and justice processes. In addition to the public confidence measure that is the key outcome indicator for the justice system, the performance measures established in goals 2, 3 and 4 will be key indicators of the success of this goal.

Goal 2: An effective criminal justice system

The criminal justice system must be — and must be seen to be — fair, impartial and just. It must be responsive and reliable and operate with appropriate speed. The public must understand the system and have confidence that it is effective.

The criminal justice sector comprises several separate independent, yet interdependent, organizations. Components include Prosecution Services, Court Services, Legal Aid, Corrections, Police Services and the Judiciary. The system must be responsive and reliable. It must operate in a principled manner that serves the public interest. As a key participant, the Ministry strives for process that ensures the administration of justice is fair, impartial and just.

An effective criminal justice system requires and builds public confidence. The system must safeguard the rights of the accused and, at the same time, deliver justice on behalf of victims, accused and communities. This requires that the system operates with appropriate speed, is secure and efficient, and is understood by the public.

Objective 2.1: Fair, impartial and just criminal prosecutions and appeals

This Objective reflects the importance of fair process and balanced consideration of the interests of the victim, the accused, the witnesses, the families and the public. In determining whether cases should proceed to court, Crown counsel assess all charges reported to them using two criteria: first, whether there is a substantial likelihood of conviction, and second, whether a prosecution would be in the public interest.

Consistent and rigorous application of these standards contributes to the overall effectiveness of the criminal justice system. Careful charge assessments also remove a substantial percentage (17 per cent) of accused persons from the court process where appropriate. Four per cent out of the 17 per cent are directed to Alternative Measures. This ensures that court and Crown resources are used for cases that warrant full prosecutions.

Objective 2.2: Criminal prosecutions and appeals processed with appropriate speed

Criminal matters must be processed within a reasonable period of time or charges against the accused may be dismissed. Timeliness enhances public confidence in the justice process, minimizes distress and disruption for victims and the accused and their families, and leads to efficient use of court and Crown resources. For example, in most cases, Crown counsel conduct pre-charge screening and provide full disclosure documents and an initial sentencing position to the accused or counsel prior to the first appearance.

Objective 2.3: Safe and secure criminal justice programs and services

The safety and security of all persons who attend or preside in court are critical to an effective criminal justice system serving the public interest. The Ministry provides an integrated threat assessment and risk management program that works in cooperation with law enforcement agencies; sets operational security policies for courthouse security screening and use of force; establishes courthouse security design standards; provides training for court security staff; and promotes the use of technology and modern safety equipment.

Objective 2.4: Reliable criminal justice services

Participants in the criminal justice system must be able to rely on events happening on the dates that the system sets. An effective and efficient system will ensure that the public can be certain that processes will take place when they are scheduled.

The Alternative Measures Program diverts low-risk offenders from the traditional court system to a process that allows more personal restitution to victims and communities.

Objective 2.5: Public understanding of the criminal justice system

Public confidence in the justice system is about perceptions of the system — which may or may not be based on factual information, knowledge of the system or experience in the system. Public understanding influences the level of citizen engagement in the system and therefore contributes to the effectiveness of the system.

Strategies

The following strategies are used to achieve this goal:

1. Operating the criminal justice system fairly and efficiently and with appropriate speed.
2. Integrating, where appropriate, the work of criminal justice system participants, including sharing information about all parts of the system, in order to improve system operation and decision-making.
3. Evaluating the performance of the criminal justice system, internally and from the perspective of the public.
4. Determining the feasibility of criminal justice reform and innovation suggestions and implementing those reforms that are supported.
5. Applying technology to streamlined and effective criminal justice processes.
6. Informing the public about the criminal justice system.

Performance Measure	2005/06 Baseline*	2006/07 Target	2006/07 Actual**
Percentage of British Columbians 15 years and older who perceive that the criminal courts do a good job of:			
• providing justice quickly	11%	Improve from baseline	13% Achieved
• helping the victim	16%		13% Not Achieved
• determining whether or not the accused is guilty	22%		28% Achieved
• ensuring a fair trial for the accused	43%		52% Achieved

Data Source:

* Statistics Canada, General Social Survey on Victimization (GSS), Cycle 18, 2004. These baseline results are specific to British Columbia. The National averages for these measures are: providing justice quickly (15%), helping the victim (20%), determining whether the accused is guilty(27%) and ensuring a fair trial (44%.).

** 2006/2007 Data: Average of BC Omnibus Survey conducted by BC Statistics September 2006 to February 2007.

Discussion of Results

This measure examines public perceptions of how the criminal courts in British Columbia safeguard the rights of the accused and, at the same time, deliver justice on behalf of victims, accused and communities. The baseline for this measure is the Statistics Canada General Social Survey on Victimization (GSS) Cycle 18. The next Statistics Canada report on victimization is due in 2009. In the interim the Ministry conducted a monthly survey with the same specific questions.

Comparisons should be made cautiously as the surveys differed in sample size and margin of error, and were conducted three years apart. Therefore the results may not indicate trends in public perceptions of the criminal courts. However, these results will help inform the development of strategies to continue to improve the criminal justice system.

Performance Measures	2005/06 Restated Actual *	2006/07 Restated Target*	2006/07 Actual
Average time to disposition for:			
• Traffic cases	220 days	220 days	222 days SUBSTANTIVELY ACHIEVED
• Adult and youth criminal cases	189 days	189 days	181 days ACHIEVED

Data Source: Court Services CORIN database. Time to disposition for traffic cases is based on the date the notice of dispute was filed and the date the dispute was concluded. Time to disposition for adult and youth cases is based on the date of the first appearance in court and the concluded date. Adult and youth cases exclude those where the primary charge is an administrative one, such as breach of a court order or failure to appear.

Discussion of Results

This measure relates to the ability of the criminal system to operate with appropriate speed and efficiency to deliver justice.

*The 2005/06 actual and 2006/07 targets were originally based on the first six months of data for 2005/06. These have been restated based on a full year of data. Previous 2005/06 actuals and 2006/07 targets were: traffic cases (177 days) and adult and youth criminal cases (170 days). These measures will continue to inform the Ministry's planning and development reforms.

Goal 3: Effective civil and family justice system

The civil and family justice systems help private parties solve problems and resolve disputes. The civil justice system also includes administrative tribunals that provide alternatives to court to resolve disputes between private parties and between individuals and government.

Effective civil and family justice systems are accessible, understood by the public and promote public confidence. This requires a range of dispute resolution options where procedures and costs are proportionate to the nature of the issues involved.

The Ministry's role in the civil and family justice systems includes providing effective court services including a safe environment; supporting access to justice; facilitating the development and use of problem-solving and dispute resolution options through processes that are most appropriate to the circumstances; and maximizing the performance of all components of the system.

Objective 3.1: Accessible and efficient civil and family court processes

Timely, accessible and efficient civil and family court processes are necessary for the court to be an effective option for parties in dispute. Public confidence is eroded if the process becomes too costly, cumbersome or bureaucratic.

Objective 3.2: Accessible civil and family justice services as alternatives to court

Effective civil and family justice systems must offer a range of alternatives to the traditional court system to support parties in resolving their disputes. Services must be accessible and affordable to parties who require them.

Objective 3.3: Safe and secure environment for resolving civil and family disputes

The safety and security of individuals and families using the justice system are paramount to ensure willingness to utilize the full range of dispute resolution mechanisms. Voluntary participation in available options supports an effective system.

Objective 3.4: Public understanding of the civil and family justice systems

Knowledge of the civil and family justice systems can lead to greater utilization and access to the system. It also relates to public confidence in the system. Public understanding influences the level of citizen engagement in the justice system and therefore contributes to its overall effectiveness.

Strategies

The following strategies are used to achieve this goal:

1. Operating the civil and family justice systems fairly and efficiently.
2. Improving access to justice by:
    - simplifying and streamlining justice processes;
    - using and fostering a problem-solving approach to matters that engage the civil and family justice systems; and
    - providing to the public effective sources of information about law, legal processes and justice services.
3. Evaluating the performance of the civil and family justice systems internally and from the perspective of the public.
4. Determining the feasibility of civil and family justice reform and innovation suggestions and implement those reforms that are supported.
5. Applying technology to streamlined and effective civil and family justice processes.

Performance Measures	2005/06 Baseline	2006/07 Target	2006/07 Actual
Average rate of client satisfaction with child protection mediation on a 5 point scale where 5 is very satisfied	3	3	4.5 EXCEEDED
Average rate of client satisfaction with small claims mediation on a 5 point scale where 5 is very satisfied	4	>4	4.3 ACHIEVED

Data Source: The Ministry collects satisfaction data through client exit surveys that are completed after resolution.

Discussion of Results

User satisfaction with alternatives to court relates to the ability of the civil and family justice systems to assist private parties to solve problems and resolve disputes. A public confidence measure similar to the public perception measure for Goal 2 will be established for the civil and family justice systems. Until this measure is available, the two satisfaction measures above are being used.

Performance Measure	2005/06 Baseline	2006/07 Target	2006/07 Actual
Small claims settlement rate	52%	>52%	58% ACHIEVED

Data Source: Data are collected by the Court Mediation Program.

Discussion of Results

This measure tracks the proportion of disputes that reach settlement following a referral to the Court Mediation Program. Settled cases are defined as those that are resolved at mediation including those that are settled after referral, but before the mediation actually begins.

The performance results reflect that mediation is an effective method of solving disputes. As a consequence the Ministry is making mediation more accessible to British Columbians, with expanded availability in the areas of family law and child protection.

Performance Measures	2005/06 Restated Actual *	2006/07 Restated * Target	2006/07 Actual
Average Time to Disposition For:			
• Small claim settlement conferences	170 days	170 days	179 days SUBSTANTIVELY ACHIEVED
• Small claims actions	316 days	316 days	338 days SUBSTANTIVELY ACHIEVED
• Child protection hearings	18 days	18 days	17 days ACHIEVED
• Family Hearings	120 days	120 days	135 days NOT ACHIEVED

Data Source: Civil Electronic Information System

Small claims settlement conferences measures the average time between case initiation and the first settlement conference appearance of the case where a result is recorded.

Small claims actions averages the time between case initiation and the first trial appearance of the case where a result is recorded.

Child protection hearings averages the time between the date the initiating document is filed and the appearance date when the first order is made.

Family hearings averages the time between the date the initiating document was filed and the appearance date when the first order was made.

* **Note:** The 2005/06 actuals and 2006/07 targets were originally based on the first six months of data for 2005/06. The actuals and targets have been restated based on a full year of data. The previous actuals and targets were: Small claim settlement conferences (186 days), small claims actions (303 days), child protection hearings (18 days) and family hearings (113 days).

Discussion of Results

This measure relates to the ability of the civil and family justice systems to provide timely and efficient court processes for parties in dispute. The judicial process is complex with many factors influencing completion times. These results will continue to inform the Ministry strategies.

Performance Measure	2005/06 Actual	2006/07 Target	2006/07 Actual
Proportion of provincial population residing within one hour of travel time to court	98%	98%	98% ACHIEVED

Data Sources and Issues: Information sources used to develop this measure include: B.C. Statistics; Policing and Community Safety Branch of the Ministry of Public Safety and Solicitor General; and MapQuest website services.

This accessibility measure was derived from 2001 population figures based on the provincial policing jurisdictions. It includes municipal, rural, and First Nations reserve populations.

Goal 4: Effective legal services enabling government to administer public affairs in accordance with the law

This Goal supports the Attorney General's unique role in government to see that public affairs are administered in accordance with the law. High-quality legal advice and representation help ensure that government services are delivered effectively.

Objective 4.1: High-quality, cost-effective legal services to government

This Objective supports the administration of public affairs in accordance with the law and ensures that government is effectively represented before tribunals and the courts. The Ministry's Legal Services Branch has made significant progress in reconciling and balancing costs with government requirements for legal advice.

Objective 4.2: Legal risks and issues managed proactively and strategically

This Objective reflects the importance of anticipating, reducing and managing legal risk as part of the stewardship and sound management of public resources.

Strategies

The Ministry continues to use the following strategies to achieve this goal:

1. Attracting, retaining and supporting high quality lawyers within the public service.
2. Evaluating the cost of the legal services against the benchmark of comparable private sector lawyers.
3. Where appropriate, developing innovative approaches to providing legal services through alternate dispute resolution, technology and best practices.
4. Evaluating and implementing appropriate processes to manage government legal issues and risks effectively and in the public interest.

Performance Measure	2003 / 04 Actual	2006/07 Target	2006/07 Actual
Percentage of clients satisfied with: • timeliness, quality and consistency of services	85%	87%	N/A The survey will be completed in 2007/08

Discussion of Results

The Legal Services Branch delivers legal services to government on the basis of service level agreements with each Ministry and agency. The next client satisfaction survey will be conducted in 2007/2008.

Performance Plan: Multiculturalism and Immigration

Goal: Effective immigrant settlement and adaptation services, and multiculturalism and anti-racism initiatives

The Ministry will work collaboratively and strategically to provide leadership and develop new partnerships to challenge racism, promote the many benefits cultural diversity brings to all B.C. communities, and advance the development of multiculturalism, settlement and immigration policies, programs and services.

Immigration continues to play an important role in the province's social and economic development, and it has created a dynamic, open and diverse society that has enriched the social and cultural fabric of B.C. Through leadership, partnerships, strategic influences, and program development and delivery, the Ministry coordinates activities to meet the province's interests in multiculturalism, anti-racism, settlement and immigration.

Objective: Improved settlement and socio-economic outcomes for immigrants

Enabling and expediting the settlement of immigrants directly benefits immigrants and their local communities. The branch will build community capacity to support new immigrants and refugees through language training, settlement and adaptation services.

Strategies

The Ministry continues to use the following strategies to achieve this goal:

1. Promoting the social and economic advantages of cultural diversity.
2. Accelerating the adaptation of immigrants to the social, cultural and political life of their communities.
3. Enhancing and expanding leadership on immigration and multiculturalism policy and settlement services for B.C.

Multiculturalism and Immigration programs include:

- BC Settlement and Adaptation — funds third parties to provide basic adult English language instruction and other settlement service supports to new immigrants;
- BC Anti-Racism and Multiculturalism — funds third-party initiatives designed to increase understanding of multiculturalism, and prevent and eliminate racism;
- Critical Incident Response Model — a three-year, three-step process, assists B.C. communities to develop local responses to racism and hate activity;

- support for the work of the Multicultural Advisory Council, which is composed of people appointed to advise the Minister Responsible for Multiculturalism on issues related to multiculturalism and anti-racism; and
- management of the implementation of the Agreement for Canada — British Columbia Cooperation on Immigration and direct negotiation of issues related to the Agreement and other Memoranda of Understanding related to immigration matters.

Performance Results

Performance Measure	2005/06 Baseline	2006/07 Target	2006/07 Actual
Percentage of recent immigrants in language training who report greater ability to use English	76%	76%	N/A The survey will be completed 2007/08

Data Source: An extensive survey is conducted bi-annually that reports on this measure. The last survey was held in 2005/06; the next 2007/08.

Discussion of Results

The ability to speak, read and write the language(s) of the adopted country assists settlement and allows new immigrants to access the amenities and services that are available in the communities where they are residing. Facility in the English language can also help immigrants make the best use of education and employment opportunities.

Performance Measure	2005/06 Baseline	2006/07 Target	2006/07 Actual
Number of communities that have participated in the Critical Incident Response Model (CIRM) program	22	26	26 ACHIEVED

Data Source: Multicultural and Immigration Branch.

Discussion of Results

The provincial Critical Incident Response Model assists communities throughout B.C. to develop community-led responses to racism and hate activity. This measure is related to the level of community commitment toward the promotion of anti-racism and multiculturalism.

Report on Resources

Resource Summary

Core Business Areas	Estimated[1]	Other Authorizations[2]	Total Estimated	Actual	Variance[3]
Operating Expenses ($000)					
Court Services	125,230	1,683	126,913	128,782	1,869
Legal Services	14,703	2,385	17,088	16,933	(155)
Prosecution Services	92,810	686	93,496	93,297	(199)
Justice Services	94,757	1,204	95,961	93,883	(2,078)
Multiculturalism and Immigration	7,073	138	7,211	7,156	(55)
Executive and Support Services	42,451	9,121	51,572	52,190	618
Total Ministry Operations	**377,024**	**15,217**	**392,241**	**392,241**	**0**
Judiciary	60,722	266	60,988	60,988	0
Crown Proceeding Act	27,500	0	27,500	22,416	(5,084)
B.C. Utilities Commission	1	0	1	0	(1)
Public Guardian and Trustee of B.C. (special account)	10,453	(344)	10,109	8,978	(1,131)
Adjustment of Prior Year's Accrual	0	0	0	(73)	(73)
Total	**475,700**	**15,139**	**490,839**	**484,550**	**(6,289)**
Full-time Equivalents (FTEs)					
Court Services	1,230	0	1,230	1,280	50
Legal Services	355	0	355	375	20
Prosecution Services	761	0	761	754	(7)
Justice Services	177	0	177	169	(8)
Multiculturalism and Immigration	37	0	37	38	1
Executive and Support Services	253	0	253	279	26
Total Ministry Operations	**2,813**	**0**	**2,813**	**2,895**	**82**
Judiciary	401	0	401	379	(22)
Crown Proceeding Act	0	0	0	0	0
B.C. Utilities Commission	26	0	26	24	(2)
Public Guardian and Trustee of B.C. (special account)	214	0	214	213	(1)
Total	**3,454**	**0**	**3,454**	**3,511**	**57**

Core Business Areas	Estimated[1]	Other Authorizations[2]	Total Estimated	Actual	Variance[3]
Ministry Capital Expenditures (Consolidated Revenue Fund) ($000)					
Court Services	7,554	0	7,554	4,645	(2,909)
Legal Services	298	0	298	137	(161)
Prosecution Services	1,229	0	1,229	310	(919)
Justice Services	1,090	0	1,090	477	(613)
Multiculturalism and Immigration	1,025	0	1,025	214	(811)
Executive and Support Services	815	0	815	1,139	324
Total Ministry Operations	**12,011**	**0**	**12,011**	**6,922**	**(5,089)**
Judiciary	1,363	0	1,363	1,144	(219)
Crown Proceeding Act	0	0	0	0	0
B.C. Utilities Commission	12	0	12	0	(12)
Public Guardian and Trustee of B.C. (special account)	1,024	0	1,024	1,067	43
Total	**14,410**	**0**	**14,410**	**9,133**	**(5,277)**
Capital Plan ($000)					
Project Type	0	0	0	0	0
Total	**0**	**0**	**0**	**0**	**0**
Other Financing Transactions ($000)					
Executive and Support Services (Interest on Trusts and Deposits)					
Receipts	950	414	1,364	1,364	0
Disbursements	(950)	(414)	(1,364)	(1,364)	0
Net Cash Source (Requirements)	0	0	0	0	0
Total Receipts	**950**	**414**	**1,364**	**1,364**	**0**
Total Disbursements	**(950)**	**(414)**	**(1,364)**	**(1,364)**	**0**
Total Net Cash Source (Requirements)	**0**	**0**	**0**	**0**	**0**

[1] Estimated amounts correspond to the *Estimates* as presented to the Legislative Assembly on February 21, 2006.

[2] Other Authorizations include Contingencies funding for major trials, negotiated framework and other adjustments.

[3] Variance display is consistent with the Public Accounts. Variance is in all cases "Actual" minus "Total Estimated." If the Actual is greater, then the Variance will be displayed as a positive number.

Operating Expenses — Variance Explanations

Crown Proceeding Act variance is primarily due to court-ordered and settlement liabilities against the Crown being less than the budgeted provision.

Public Guardian and Trustee variance is primarily due to greater than expected recoveries from revenues.

Full-time Equivalents (FTEs) — Variance Explanations

The increased FTE utilization is primarily due to staff required to meet the demand in Legal Services Branch services to client ministries, and for staff dedicated to major trials.

Capital Expenditures (Consolidated Revenue Fund) — By Asset Category

Capital expenditures of $9.133 million include $3.813 million for information systems, $2.446 million for tenant improvements, $1.244 million for vehicles, $0.459 million for specialized equipment and $1.171 million for office furniture and equipment.

Capital Expenditures (Consolidated Revenue Fund) — Variance Explanations

Court Services variance is primarily due to the delay of some large tenant improvement projects in conjunction with reduced acquisitions of specific operating equipment.

Legal Services variance is primarily due to the delay of systems projects.

Prosecution Services variance is primarily due to the delay of some large tenant improvement projects.

Justice Services variance is primarily due to the delay in a systems development project, and savings in vehicle acquisitions.

Multiculturalism and Immigration variance is primarily due to the deferral of systems projects.

Executive and Support Services variance is primarily due to tenant improvement and systems projects.

Judiciary variance is primarily due to the delay of systems purchases.

BC Utilities Commission variance is due to no capital expenditures being required.

Core Business Areas

Court Services

Provides court registry operations, court administration, prisoner escort and court security support to the Court of Appeal, Supreme Court, and Provincial Court.

Legal Services

Provides legal and related services to the province and various agencies, boards, commissions and other organizations, including legal advice, representation in civil litigation, and drafting, preparing, filing and publishing statutes, regulations and Orders in Council. Legal Services also provides for administration of Orders in Council and appeals to the Executive Council.

Prosecution Services

Provides for the operation of Crown counsel services, including approval and conduct of criminal prosecutions and appeals of offences, advice to government on all criminal law matters, and responsibility for all other matters mandated by the *Crown Counsel Act*.

Justice Services

Provides for the administration and management of justice services throughout the province, including civil and family law reform; administrative justice reform; legal aid and other publicly-funded legal counsel services; access to justice services; maintenance enforcement and services associated with interjurisdictional support court orders; alternative-to-court dispute resolution services for separating and divorcing parents and their children; parenting after separation programs; supervised access services; developing and promoting non-adversarial dispute resolution options within the justice system and throughout the government; and public legal education and information coordination.

Multiculturalism and Immigration

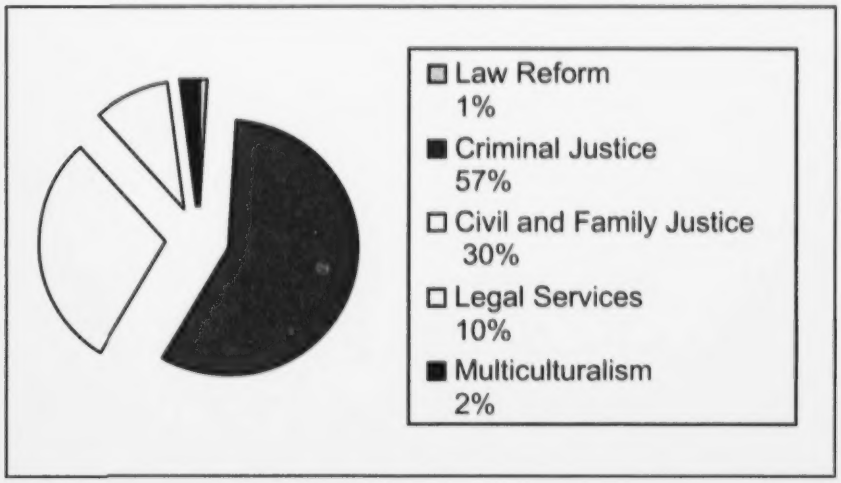
Provides for the coordination of resources and services provided for policy and program development and delivery with respect to multiculturalism and immigration; negotiation and implementation of the Agreement for Canada-British Columbia Co-operation on Immigration; and, settlement services for immigrants.

Executive and Support Services

Provides for the office of the Attorney General and Minister Responsible for Multiculturalism, including salaries, benefits, allowances and operating expenses of the Attorney General and the minister's staff; executive direction of the Ministry, including the Deputy Attorney General's

office; policy development; the investigation of matters relating to the administration of the *Correction Act* and court services; and management services for the Ministry of Attorney General and Minister Responsible for Multiculturalism and the Ministry of Public Safety and Solicitor General. Under agreement, management services are also provided to the Ministry of Aboriginal Relations and Reconciliation. This area also provides for agencies, boards and commissions under the jurisdiction of the Attorney General, and other initiatives sponsored by the Attorney General and the Ministry.

Ministry Expenditures by Goal for 2006/07



Ministry Contact Information

For more information on the British Columbia Ministry of Attorney General and Minister Responsible for Multiculturalism:

visit our website at: http://www.gov.bc.ca/ag

Call or write the: Ministry of Attorney General Communications Branch
PO Box 9206 Stn Prov Govt
Victoria BC V8W 9J1

250 387-4090

Call the following headquarters numbers:

Court Services Branch	250 356-1550
Deputy Attorney General	250 356-0149
Family Justice Information Line	1 888 216-2211
Multicultural and Immigration Branch	250 356-8481

For other numbers, please call Enquiry BC at:

387-6121 in Victoria or Toll-Free at 1 800 663-7867

Annual Service Plan Report Appendices

Appendix A:

Legislation within the Mandate of the Ministry of Attorney General in 2006/07

http://www.ag.gov.bc.ca/legislation/

List of Crowns, Agencies, Boards and Commissions

http://www.ag.gov.bc.ca/abc/

Appendix B: Ministry Operational Volumes for 2005/06 and 2006/07

Examples of Annual Volumes		2005/06	2006/07
Court Services	Civil and criminal case filings	311,000	301,000
	Prisoners escorted	125,000	124,600
	Management of:		
	• Courthouses	44	44
	• Circuit courts	44	44
	• hours of trials and hearings	172,000	165,000
Prosecution Services	Total Accused on All Reports to Crown Counsel Received from Investigative Agencies	81,965	84,276
	Total Accused Approved to Court	66,017	67,778
	Number of victims and potential witnesses	295,000	300,000
Justice Services	Number of Family Justice Centre clients	42,000	50,000
	Number Family Maintenance Enforcement Program (FMEP) clients	160,000	160,000
	Family Maintenance Enforcement Payments recovered for children	$150 million	$160 million
	Legal aid referrals for representation		
	• criminal;	22,048	22,576
	• family matters,	7,125	6,924
	• immigration matters	837	1,011
Legal Services	Total hours of legal services provided to client ministries	440,000	453,000
Multiculturalism and Immigration	Projects funded to enhance the understanding of multiculturalism and cultural diversity; and eliminate racism in B.C.	51	62
	Adult immigrants provided ESL training	11,774	11,793